

Register results

The following actions have been taken by Federal agencies. They have previously been summarized in CONSUMER REGISTER as proposals. Extent of consumer & other comment is reported when such information is available.

• **Agriculture Dept.** has established standards of composition for products labeled "Country," "Country Style" or "Dry Cured" hams & pork shoulder products to become effective July 1, 1978. Agriculture received 208 comments on the proposal. One hundred fifty-eight commenters favored the proposal, & 45 commenters opposed the proposal or expressed reservations. Details—*Federal Register*: Jan 18, page 3298; Sept. 25, 1975, page 41139. CONSUMER REGISTER: Oct. 1, 1975.

Modular housing

Housing & Urban Development Dept. (HUD) has issued an interim rule clarifying the fact that certain categories of modular housing are subject to the provisions of the National Mobile Home Construction & Safety Standards Act. However, under this ruling, modular homes that are built to recognized building standards are not required to comply with those standards until June 30.

Interim rule became effective Dec. 30 & is intended to compensate buyers of such homes when an imminent safety hazard to occupants of modular homes exists. Provisions include notification, correction & replacement or refund, depending on the nature of the defect.

Details—*Federal Register*: Dec. 30, 1976, page 57015.

Consumers' education program

Office of Education's (OE) Office of Consumers' Education announces a March 10 closing date for receiving applications for grants & contracts to expand consumer education activities in schools & communities. OE estimates that 65 new grants will be awarded during fiscal year 1977. Applications are being accepted from institutions of higher education, local education agencies, state education agencies & other public & private nonprofit organizations (including libraries).

For more information on the program & how to apply for a grant, write or call Office of Consumers' Education, Bureau of Occupational & Adult Education, Office of Education, Washington, DC 20202; telephone: 202-245-0636.

Details—*Federal Register*: Jan. 5, page 1076; May 24, 1976, page 21191; Nov. 26, 1975, page 54805. CONSUMER NEWS: Dec. 15, 1975. CONSUMER REGISTER: Jul. 1, 1976.

Discounts for cash

Feb. 4 is deadline [see Details below] for comments on **Federal Reserve System's (FRS)** proposal to amend a section of the Truth-in-Lending Act dealing with surcharges on consumers who use charge accounts or credit cards for bills instead of paying cash or by check.

Proposal implements changes & clarifications made by Public Law 94-222 that, among other provisions, prohibits sellers from imposing a surcharge on credit users for the next 3 years. So, until February 1979, it is against the law for merchants to impose such a surcharge on charge or credit card customers even if the amount of the surcharge is disclosed as a finance charge.

In addition, proposed amendments add 3 new definitions to the regulations:

- "Regular price" means the tag or posted price charged for goods or services if a single price is tagged or posted. If 2 such prices are tagged or posted—one for cash & one for credit charges—or if no price is tagged or posted, the "regular price" is the price for credit card charges of the goods or services.

- "Discount" means a reduction made from the "regular price."

- "Surcharge" means an additional charge added to the "regular price" to arrive at the selling price for goods or services for credit purchases.

It is important to note that discounts for cash may be made, & consumers may wish to ask merchants about such discounts. Here are some examples of pricing situations involving "discounts" that are permissible without disclosure:

- Merchant posts or tags goods with a single price, which is charged for credit purchases, but offers up to a 5% discount off this price to buyers using cash.

- Merchant posts or tags goods with a credit price & with a cash price ("2-tag pricing"), which is up to 5% lower than the credit price.

- Merchant does not tag or post prices, but offers cash buyers a price which is up to 5% lower than the price to credit users.

When the tagged or posted price is the cash price only, that price is not available to a credit card or credit account user. This is because any price other than the cash only price would involve a surcharge, which is not permissible.

Proposed regulations should prevent consumers from being misled by one low advertised price when there is an additional price for credit purchases.

Details—*Federal Register*: Jan. 4, page 780. Send comments, even if they may be a little late, to Secretary, Board of Governors of the Federal Reserve System, Washington, DC 20551.

Refuse bins

Feb. 7 is deadline for comments on **Consumer Product Safety Commission's (CPSC)** proposal to ban certain unstable refuse bins having a capacity greater than 0.764 cubic meters (one cubic yard) as hazardous.

Proposal is result of a petition & report filed by Stephen R. Redmond, Commissioner of Health, Dutchess County, NY. Report described 2 serious accidents involving children who were playing or swinging on slant-sided refuse bins. Bins turned over & injured 2 children, one fatally. CPSC has since learned of other accidents associated with the bins.

Proposal details test procedures that refuse bins will be subjected to. If the bins are eventually declared banned hazardous substances, even the bins that are already "in commerce" can be banned.

CPSC needs information & views on (1) the necessity for the rule; (2) how many consumer products would be affected by the rule; (3) adverse effects of the rule on the elderly & handicapped; & (4) ways of achieving the objectives of the rule while minimizing the adverse effects on competition.

Details—*Federal Register*: Jan. 7, page 1484. Send comments to Secretary, Consumer Product Safety Commission, Washington, DC 20207. (For a copy of a fact sheet on trash bins, write to Office of Information & Education at the above address.)

Postal Service in the sunshine

Feb. 14 is deadline for comments on **Postal Service's** (PS) proposed amendment to its regulations to implement requirements of the Government in the Sunshine Act. In addition, PS has published revised by-laws, incorporating certain unpublished provisions.

Details—*Federal Register*: Jan. 13, page 2699. Send comments to Secretary of the Board of Governors, Postal Service, Washington, DC 20260. For further information: Stanley F. Mires; phone: 202-245-4646.

CAB in the sunshine

Feb. 14 is deadline for comments on **Civil Aeronautics Board's** (CAB) proposed open meeting policy under the Government in the Sunshine Act. Proposal includes description of meeting announcements; procedures by which CAB may close discussion of a matter or withhold information about a matter to be discussed; & procedures for closing a meeting to the public.

Details—*Federal Register*: Jan. 14, page 2996. Send comments to Docket 30338, Docket Section, Civil Aeronautics Board, Washington, DC 20428.

Vocational schools

March 1 is deadline for comments on **Federal Trade Commission's** (FTC) staff report on vocational & home study schools (as well as the presiding officer's report, released earlier). Copies are available by writing to Public Reference Branch, Federal Trade Commission, Washington, DC 20580.

CONSUMER REGISTER has already summarized FTC's proposal to require that prospective vocational & home study school students be given information to protect them from misleading practices of some of the schools [CONSUMER REGISTER: Oct. 15, 1974 & June 15, 1975]. In addition, public hearings on the proposed rule were held in various cities around the country in late 1975 & early 1976.

FTC points out that it has not reviewed or adopted the staff report & that the publication "should not be interpreted as reflecting the present views of the Commission. . ."

Details—*Federal Register*: Jan. 7, page 1483. Send comments to Secretary, Federal Trade Commission, Washington, DC 20580. Identify as "Comment on Presiding Officer & Staff Reports—Vocational School TRR."

Public participation—EPA

March 8 is deadline for comments on **Environmental Protection Agency's** (EPA) advance notice of proposed rulemaking on giving financial assistance to persons or groups who want to participate in EPA's decision making. Petition for such a rule was filed by the Environmental Defense Fund, joined by Consumers Union & Center for Auto Safety. Proposal does not include reimbursements for participation in rulemaking under the Toxic Substances Control Act (TSCA), which are already authorized by EPA.

[As background, the **Comptroller General of the US** (who approves Federal agency accounting systems) decided that the **Nuclear Regulatory Commission** (NRC) had the statutory authority "to facilitate public participation in its proceedings by using its own funds to reimburse interveners when (1) it believes that such participation is required by statute or necessary to represent adequately opposing points of view on a matter; & (2) when it finds that the intervener is indigent or

otherwise unable to bear the financial costs of participation in the proceedings."]]

As a result of this decision, the Comptroller General also said 9 other Federal agencies—including EPA—could use their funds for the same purposes at their discretion (except **Federal Trade Commission**, which has a law requiring such aid). [CONSUMER NEWS: Sept. 15, 1976].

At this time, EPA would like to receive comments on all aspects of the proposal but considers the following points of particular importance: (EPA issues regulations to control pollution of all kinds: air, water, solid waste, pesticides, noise & radiation.)

- Because there is likely to be little money for paying for public participation, at least for a while, EPA would like to know if potential recipients of funds participated in any proceedings last year & if so, the nature & extent of such participation.

- If unlimited money had been available last year, what agency proceedings would potential recipients have participated in?

- What standards of priority & eligibility for funding should be established?

- Should all expenses be eligible for compensation?

- How should funding applicants be evaluated?

Details—*Federal Register*: Jan. 7, page 1492. Send comments to General Counsel (A-130), Environmental Protection Agency, Washington, DC 20460. Attention: Public Participation ANPRM.

Mobile home energy efficiency

Housing & Urban Development Dept. (HUD) has postponed energy efficiency requirements for mobile home water heaters from Jan. 1 until Feb. 15. After Feb. 15, non-complying heaters may still be sold as long as manufacturers place a label on the heaters explaining that they are not in compliance. Such labeling will be permitted until April 1, when all mobile home water heaters must meet energy efficiency standards.

HUD granted the postponement because members of the electric water heater industry said they were having trouble meeting the Jan. 1 deadline for compliance. They pointed out that they not only had to develop water heaters that meet the performance efficiency standards but the heaters have to be certified by a nationally recognized testing agency. According to the industry, unless more time for compliance was granted, there would be a serious shortage of complying water heaters.

Details—*Federal Register*: Dec. 27, page 56276.

Standards

APPLES—March 31 is deadline for comments on **Agriculture Dept.'s** proposal to revise its standards for grades of dehydrated (low-moisture) apples. Current standards for these apples have been in effect since 1957.

Proposed revision includes:

- Designating grades as US Grade A, US Grade B & Sub-standard, & eliminating such terms as "Fancy" & "Choice." Agriculture says consumers prefer a single letter grade designation.

- Eliminating the 500-parts-per-million limit for sulfur dioxide in the finished product. (Sulfur dioxide helps apples retain their characteristic color.) Details—*Federal Register*: Jan. 17, page 3178. Send comments to Hearing Clerk, Agriculture Dept., Washington, DC 20250.

This listing, prepared by Marion Q. Ciaccio, is intended only as summary coverage of selected *Federal Register* items deemed of particular interest to consumers, & it does not affect the legal status or effect of any document required or authorized to be published pursuant to Section 5 of Federal Register Act as amended, 44 U.S.C. 1505. *Federal Register* is published Monday through Friday (except Federal Government holidays) by **Office of the Federal Register, National Archives & Records Service, General Services Administration**. Subscription is \$5 a month or \$50 a year & may be ordered from **Superintendent of Documents, Government Printing Office**, Washington, DC 20402. Superintendent also sells copies of *Federal Register* for 75¢ each. Free copies of *Federal Register* may be available in libraries.

For you

These forms are for you to use, if you wish, in commenting on any Federal Agency proposal summarized in CONSUMER REGISTER. Of course, if you cannot get your comments on the front & back of a form, feel free to continue your comments on additional paper.

Send comment forms to addresses listed in the summaries.

CONSUMER NEWS is publishing these forms in cooperation with **Food & Drug Administration (FDA)**.

Rate Register Electricity

• **General Services Administration (GSA)** is proposing to intervene in a rate increase proceeding before the Illinois Commerce Commission concerning an application of the Commonwealth Edison Co. GSA represents the interests of the executive agencies of the Federal Government as users of electric utility services. For information, write or call—by Feb. 16—Spence W. Perry, Assistant General Counsel, Regulatory Law Division, General Services Administration, Washington, DC 20405; phone: 202-566-0750. Details—*Federal Register*: Jan. 17, page 3212.

• **Federal Power Commission (FPC)** has decided not to allow electric utilities to include expenditures for construction work in progress (CWIP) in the rate base except for pollution control facilities & facilities for conversion of oil or natural gas-fueled plants to use of other fuels. Natural gas companies were excluded from the rulemaking. FPC received over 100 comments on its original proposal to permit the inclusion of such costs in rates—and commenters were about evenly divided between those favoring & opposing the proposed rule. Details—*Federal Register*: Nov. 22, page 51393; Nov. 20, 1974, page 40787. CONSUMER REGISTER: Dec. 15, 1974.

Planes

• On Jan. 18, **Civil Aeronautics Board (CAB)** decided to consider World Airways' application to offer one-way coast-to-coast air fares for \$89. Feb. 17 is deadline for interested parties to participate in the proceeding.
(Continued next page)

Clip this form, fill in blanks, write your comments & mail to agency noted in CONSUMER REGISTER item.

This is my opinion on (title of item in CONSUMER REGISTER) _____

by (name of agency) _____

published in *Federal Register* on (date) _____ on (page) _____

Name _____ Date _____

Street _____

City _____ State _____ Zip _____

(over)

Clip this form, fill in blanks, write your comments & mail to agency noted in CONSUMER REGISTER item.

This is my opinion on (title of item in CONSUMER REGISTER) _____

by (name of agency) _____

published in *Federal Register* on (date) _____ on (page) _____

Name _____ Date _____

Street _____

City _____ State _____ Zip _____

(over)

Clip this form, fill in blanks, write your comments & mail to agency noted in CONSUMER REGISTER item.

This is my opinion on (title of item in CONSUMER REGISTER) _____

by (name of agency) _____

published in *Federal Register* on (date) _____ on (page) _____

Name _____ Date _____

Street _____

City _____ State _____ Zip _____

(over)

Rate Register

(continued)

ings. They should file petitions by that date with Docket Section, Civil Aeronautics Board, Washington, DC 20428. Refer to Docket No. 30356. For information in submitting a petition, call 202-673-5180. [RATE REGISTER: April 15, 1975; Feb. 1, 1976; Jan. 1, 1977.]

• **Civil Aeronautics Board (CAB)** has approved Trans World Airlines' proposal to permit holders of its "Getaway" credit cards to defer paying for their major discount excursions for 2 months (without finance charges). American Airlines objected to TWA's proposal by saying the airline had not properly documented the economic impact of the plan.

Purpose of TWA's plan was to stimulate air travel during a slow period—Jan. 15 through March 31. CAB said that if TWA or any other airline wanted to utilize a similar extended credit plan in the future they should be able to prove that such a plan would "not be unjustly discriminatory against travelers who ordinarily use other credit cards, cash or checks."

• **Civil Aeronautics Board's (CAB) Office of the Consumer Advocate (OCA)** has filed a complaint against United Airlines' proposal to equalize intrastate & interstate rates in California [RATE REGISTER: Dec. 15, 1976]. OCA said that while CAB's rule on charging interstate passengers the same fare for the specific part of a flight that takes place solely within one state eliminates fare discrimination on interstate routes, "it established reverse discrimination on intrastate routes."

Mail

• **Commission on Postal Service** (which was established by Congress to study problems of **Postal Service**) has been holding hearings in Washington. Representatives of a labor union, publishers & other large mailers & others have testified or submitted comments. Some of the options that are being considered are reducing the number of mail deliveries, increasing subsidies, reviewing postal rates & even taking mail delivery out of the Federal Government's hands. Congress is requiring the commission to send in its recommendations on the postal system by March 15 [RATE REGISTER: Oct. 15, 1976].

